



# ***CITY COUNCIL AGENDA REPORT***

MEETING DATE: APRIL 19, 2011

ITEM NUMBER: OB-1

SUBJECT: SECOND READING OF ORDINANCE NO. 11-5 AMENDING COSTA MESA MUNICIPAL CODE SECTION 2-101

DATE: APRIL 13, 2011

FROM: THOMAS P. DUARTE, CITY ATTORNEY

PRESENTATION BY: THOMAS HATCH, CEO

FOR FURTHER INFORMATION CONTACT: THOMAS P. DUARTE, CITY ATTORNEY,  
(714) 754-5399

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## **RECOMMENDATION:**

Give second reading and waive further reading of Ordinance No. 11-5 amending Section 2-101 of the Costa Mesa Municipal Code relating to the Assistant City Manager.

## **BACKGROUND:**

At its April 5, 2011 meeting, the City Council gave first reading to Ordinance No. 11-5 revising Section 2-101 of the Costa Mesa Municipal Code to recognize that the Assistant City Manager is the Assistant Chief Executive Officer of the City. A second reading is appropriate to adopt the ordinance.

THOMAS P. DUARTE  
City Attorney

THOMAS HATCH  
CEO

Attachment: Ordinance 11-5

**ORDINANCE NO. 11-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF COSTA MESA, CALIFORNIA, AMENDING COSTA  
MESA MUNICIPAL CODE SECTION 2-101.**

**WHEREAS**, the City Council has previously recognized that the City Manager is the Chief Executive Officer of the City of Costa Mesa; and

**WHEREAS**, the Costa Mesa Municipal Code should also identify the Assistant City Manager as the Assistant Chief Executive Officer of the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES  
HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** Section 2-101 of the Costa Mesa Municipal Code is hereby amended to read as follows:

Sec. 2-101. – Absence; manager pro tem.

In case of the absence or disability of the city manager/CEO, the assistant city manager shall act in his or her stead. If the assistant city manager is unable to act as manager, the city council may designate some duly qualified person to perform the duties of the city manager/CEO during the period of absence or disability of the city manager, subject, however, to said person furnishing a corporate surety bond conditioned on the faithful performance of the duties required to be performed as set forth herein. The assistant city manager is the assistant chief executive officer of the city and may be referred to as the assistant city manager or the Assistant CEO. All references in this code, adopted council resolutions or policies to the assistant city manager or to the City Assistant CEO shall refer to the assistant city manager.

**Section 2.** The Mayor shall sign and the City Clerk shall certify to the passage

and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law.

**Section 4.** This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and prior to the expiration of fifteen (15) days from its passage shall be published once in the DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names and member of the City Council voting for and against the same.

PASSED AND ADOPTED this 19<sup>th</sup> day of April, 2011.

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Gary Monahan, Mayor

ATTEST:

APPROVED AS TO FORM:

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Julie Folcik, City Clerk

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Thomas Duarte, City Attorney